

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

KEITH THOMAS,

Plaintiff,

v.

Case No. 1:21-cv-03369-WMR

BANK OF AMERICA, N.A. a/k/a BAC
HOME LOANS SERVICING, LLP a/k/a
COUNTRYWIDE HOME LOANS
SERVICING, LLP a/k/a BANK OF
AMERICA CORP.; RUBIN LUBLIN,
LLC; MCGUIRE WOODS, LLP;
NORTHSTAR MORTGAGE GROUP,
LLC; AND MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC. a/k/a
MERSCORP HOLDINGS, INC.,
collectively known as “MERS”,

Defendants.

**RUBIN LUBLIN’S RESPONSE TO PLAINTIFF’S MOTION TO REQUIRE
SERVICE OF FILINGS BY CERTAIN METHODS**

COMES NOW, Rubin Lublin, LLC (“RL”), and files this Response to Plaintiff’s Motion [Doc. 14], respectfully showing this Honorable Court as follows:

1. On September 14, 2021, the Plaintiff filed a document titled “Plaintiff’s Notice of Motion” (the “Motion”). [Doc. 14]. The Motion asks this

Court “to order each of the defendants to respond back to all of his initial and future filings either in the form of a certified mail, priority mail or via federal express mail until further notice” *Id.* The Plaintiff’s stated reason for this request is because he is not permitted to file electronically.

2. Federal Rule of Civil Procedure 5 governs service of filings. Rule 5 does not require service by “certified mail, priority mail or via federal express mail” and requires only “mailing to the person’s last known address – in which event service is complete upon mailing.” Fed. R. Civ. P. 5(b)(2)(C). LR 5.1(A)(3) dictates that “[p]arties who are not registered users must be served with a copy of any pleading or document filed electronically in accordance with the Federal Rules of Civil Procedure”

3. RL opposes the Plaintiff’s request to serve him by the more costly and burdensome means that he has requested, and he has given no reason whatsoever for why regular mail would be insufficient.¹ The Motion should be denied.

WHEREFORE, RL respectfully requests that this Court deny the Plaintiff’s Motion.

¹ It should also be noted that the Plaintiff uses a P.O. Box for mailing, and neither FedEx or UPS will deliver to such an address.

Respectfully submitted, this 15th day of September, 2021.

/s/ Bret J. Chaness

BRET J. CHANESS (GA Bar No. 720572)

RUBIN LUBLIN, LLC

3145 Avalon Ridge Place, Suite 100

Peachtree Corners, GA 30071

(678) 281-2730 (Telephone)

(470) 508-9203 (Facsimile)

bchaness@rlselaw.com

Attorney for Rubin Lublin, LLC

FONT CERTIFICATION

The undersigned counsel hereby certifies that the within and foregoing was prepared using Times New Roman, 14-point font in accordance with LR 5.1(B).

Respectfully submitted, this 15th day of September, 2021.

/s/ Bret J. Chaness

BRET J. CHANESS (GA Bar No. 720572)

CERTIFICATE OF SERVICE

I hereby certify that I have, this 15th day of September, 2021, served all parties in this matter with the within and foregoing via CM/ECF (registered users only) and by placing a true and correct copy of same in the United States Mail, with first-class prepaid postage affixed thereto, properly addressed as follows:

Keith Thomas
P.O. Box 960242
Riverdale, GA 30296

/s/ Bret J. Chaness
BRET J. CHANESS (GA Bar No. 720572)